

### **Remarks**

The above Amendments and these Remarks are in reply to the Office Action mailed June 4, 2003. An appropriate Petition for Extension of Time to Respond is submitted herewith, together with the appropriate fee.

Claims 1-21 are pending (of these claims 1-12 are withdrawn from consideration) in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 13-21. The present Response amends claims 17-19, leaving for the Examiner's present consideration claims 13-21.

### **Amendment to the Application Title**

The Applicant has amended the title of the present application and the preamble of claim 13 to better describe the present invention. In particular, the title and claim 13 have been amended to indicate the claimed embodiment relates to a three sided silicon device.

### **Drawings Objection**

The Office Action indicated that the drawing correction filed on March 10, 2002 was approved, but the proposed substitute sheet was rejected. Applicant submitted the corrected portion of the Figure without including the remainder of the figure sheet as originally filed. Thus, though the originally filed figure sheet included Figures 2a-2c, 3a-3c, and 4a-4c, Applicant submitted a substitute sheet for Figure 4a-4b only.

Applicant submits replacement sheets for all figures in this Response. The replacement sheets contain the same Figures as originally filed and incorporate the corrections made in previous Responses. The substitute sheets contain no new matter. The purpose of the replacements sheets is

to provide the Figures of the present invention in more sheets, and thereby provide the Figures in a clear, less compacted manner.

Applicant submits the drawings are now in condition to overcome the objection, and request the objection be withdrawn.

### **Objection to the Specification**

The Office Action indicated that the disclosure is objected to because on lines 19-21 of page 2, the summary describes a step of depositing a conformal oxide and forming a trench in the conformal oxide. Examiner states the description contains no disclosure of the embodiment.

Applicant directs Examiner to the description associated with Figures 4a-4c and 5a-5c from page 7, line 11 through page 8, line 21. In this portion of the description, the specification discloses depositing a conformal oxide and forming a trench in the conformal oxide. Applicant respectfully submits this portion of the description describes the step mentioned in the summary, and requests the objection be withdrawn.

### **Claim Rejection under 35 USC 112, First Paragraph**

The Office Action indicated that claims 13-21 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner indicated that claim 13 requires that a trench be formed in a conformal oxide, and that the specification discloses forming a trench in a TEOS oxide, that claim 13 recites a second nitride layer disposed on the device, wherein the specification does not disclose a second nitride layer for the claimed embodiment, and that claim 13 requires an implant be performed to the

polysilicon and silicon-on-insulator substrate, though the Examiner could not find support for this limitation in the specification.

Applicant has amended claim 13 to recite depositing a TEOS oxide, removed the second nitride layer limitation, and removed the implant performed to the silicon-on-insulator substrate. Applicant respectfully submits that claim 13 is now in condition to overcome the rejection to claim 13 under 35 USC 112, first paragraph, and requests the rejection be withdrawn. Applicant hereby retains the right to reintroduce claim 13 in its original scope at a later time in a continuation, divisional or current application.

#### **Claim Rejection under 35 USC 112, Second Paragraph**

The Office Action indicated that claims 13-21 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner indicated that claim 13 recites “said second nitride layer” and implanting impurity into...”said silicon-on-insulator substrate” without proper antecedent basis. Applicant has amended claim 13 to remove the nitride layer and silicon-on-insulator substrate elements. Applicant respectfully submits that claim 13 is now in condition to overcome the rejection to claim 13 under 35 USC 112, second paragraph, and requests the rejection be withdrawn. Applicant hereby retains the right to reintroduce claim 13 in its original scope at a later time in a continuation, divisional or current application.

### Conclusion


In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including today, October 6, 2003.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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By:   
Stephen R. Bachmann  
Reg. No. 50,806

FLIESLER DUBB MEYER & LOVEJOY LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: (415) 362-38